

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
: CASE NO. 3:19-MJ-00024
-vs- :
: (MEHALCHICK, M.J.)
CORBIN KAUFFMAN :
Defendant :
:

**MOTION TO CONTINUE PRELIMINARY EXAM AND FOR
EXCLUDABLE TIME PURSUANT TO THE SPEEDY TRIAL ACT**

NOW COMES, Sean A. Camoni, Assistant United States Attorney for the Middle District of Pennsylvania, and moves this Court to continue the preliminary examination scheduled for December 5, 2019, and to exclude time pursuant to the Speedy Trial Act in the above-captioned matter. In support of this motion the following is submitted:

1. A criminal complaint has been filed charging the defendant with Transmission in Interstate Commerce of any Threat to Injure the Person of Another, in violation of 18 U.S.C. § 875(c). A preliminary examination in this matter is presently scheduled for December 5, 2019.
3. Under the Speedy Trial Act, an indictment or information must be filed within thirty (30) days of a defendant's arrest. The Act, however, includes a list of certain periods of delay that are excluded in

computing this thirty (30) day period.

4. The parties are presently engaged in plea discussions and the discovery process seeking to resolve the charges by way of a criminal information which would obviate the need to have the indictment returned by a grand jury. The parties are continuing to negotiate in order to resolve this matter. However, the parties need additional time within which to conclude their plea negotiations.

5. It is respectfully submitted that the ends of justice will be served by a continuance of the preliminary examination and excluding from the Speedy Trial clock a period of approximately thirty (30) days from the date of the attached Order to allow the parties to conclude their plea negotiations. The parties concede that the adjournment for the stated reasons, which may resolve the need for a preliminary examination and an indictment, outweigh the interest of the public and the defendant in a speedy trial. Furthermore, a plea agreement between the United States and the defendant is in the best interests of justice.

6. Counsel for the defendant, Christopher R. Opiel, Esquire, has been contacted and has indicated that he concurs in this motion.

Respectfully submitted,

DAVID J. FREED
United States Attorney

/s/ Sean A. Camoni
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Date: December 3, 2019

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
: CASE NO. 3:18-MJ-00043
-vs- :
: (MEHALCHICK, M.J.)
CORBIN KAUFFMAN :
Defendant :
:

CERTIFICATE OF CONCURRENCE

I, Sean A. Camoni, hereby certify that counsel for the defendant,
Christopher R. Opiel, Esquire, concurs in the within Motion.

/s/ Sean A. Camoni _____
SEAN A. CAMONI
Assistant United States Attorney

Date: December 3, 2019

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MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
: CASE NO. 3:19-MJ-00024
-vs- :
: (MEHALCHICK, M.J.)
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Defendant :
:

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

That on December 3, 2019, she served a copy of the attached:

**MOTION TO CONTINUE PRELIMINARY EXAM AND FOR
EXCLUDABLE TIME PURSUANT TO THE SPEEDY TRIAL ACT**

Via ECF to:

Christopher R. Opiel, Esq.

/s/ Donna M. Borgia
Donna M. Borgia
Legal Assistant